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MARK COLEMAN  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

FRANK KEATING  
Governor

February 9, 2000

Patricia M. Larkins  
Office of State Programs  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Washington, D.C. 20853-2738

Dear Ms. <sup>Pat</sup>Larkins:

Regarding the reporting requirements in in 10 CFR 30.55, 40.60, and 150.16,17, and 19, Oklahoma did not adopt these rules by reference. We regard them as reserved to NRC. As we have discussed, the Oklahoma Radiation Management Act requires our rules to be consistent with national standards. We regard these reports to be a national standard, and within NRC's purview.

Note also that Section 2-9-103 D of the Oklahoma Radiation Management Act reads as follows:

*Any person who on the effective date of an agreement under subsection C of this section, possesses a license which is subject to that agreement and which is issued by the United States Nuclear Regulatory Commission for radioactive materials, shall be deemed to possess a like license issued under the Radiation Management Act.*

Since making this report is presumably a condition of NRC licenses, a similar condition will exist in any license NRC transfers to Oklahoma.

Oklahoma DEQ regards these reports to be required to be made directly to NRC, and nothing in Oklahoma's Rules, Statutes, or Agreement State program seeks to interfere in this reporting.

Sincerely,

Mike Broderick  
Environmental Program Manager  
Radiation Management Section

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